

#### Members

Sen. Thomas Wyss, Co-Chairperson  
Sen. James Merritt  
Sen. Vaneta Becker  
Sen. Phil Boots  
Sen. Michael Delph  
Sen. Allen Paul  
Sen. Ed Charbonneau  
Sen. Vi Simpson  
Sen. Earline Rogers  
Sen. James Lewis  
Sen. Jean Breaux  
Rep. Terri Austin, Co-Chairperson  
Rep. David Niezgodski  
Rep. Robert Bischoff  
Rep. Nancy Dembowski  
Rep. Earl Harris  
Rep. Phil Pflum  
Rep. Vern Tincher  
Rep. Cleo Duncan  
Rep. James Buck  
Rep. William Davis  
Rep. Thomas Saunders  
Rep. Ed Soliday

#### LSA Staff:

Sarah Freeman, Attorney for the Committee  
Allen Morford, Attorney for the Committee  
James Sperlik, Fiscal Analyst for the Committee  
Karen Firestone, Fiscal Analyst for the Committee

Authority: IC 2-5-28 (Established by SEA 105-2007)



## **JOINT STUDY COMMITTEE ON MASS TRANSIT AND TRANSPORTATION ALTERNATIVES**

**Legislative Services Agency  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554**

### **MEETING MINUTES<sup>1</sup>**

**Meeting Date:** August 30, 2007  
**Meeting Time:** 10:00 A.M.  
**Meeting Place:** State House, 200 W. Washington St.,  
Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. Thomas Wyss, Co-Chairperson; Sen. James Merritt; Sen. Phil Boots; Sen. Michael Delph; Sen. Allen Paul; Sen. Ed Charbonneau; Sen. Vi Simpson; Sen. Earline Rogers; Sen. James Lewis; Rep. Terri Austin, Co-Chairperson; Rep. David Niezgodski; Rep. Robert Bischoff; Rep. Nancy Dembowski; Rep. Earl Harris; Rep. Vern Tincher; Rep. Cleo Duncan; Rep. James Buck; Rep. William Davis; Rep. Thomas Saunders; Rep. Ed Soliday.

**Members Absent:** Sen. Vaneta Becker; Sen. Jean Breaux; Rep. Phil Pflum.

### **I. Call to Order and Introduction of Members**

Co-Chairperson Representative Terri Austin called the first meeting of the Joint Study Committee on Mass Transit and Transportation Alternatives (Joint Committee) to order at 10:12 a.m. Co-Chairperson Senator Tom Wyss and the members of the Joint Committee

---

<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

introduced themselves.

## **II. Chris Kiefer, Indiana Department of Transportation**

Chris Kiefer, legislative liaison for the Indiana Department of Transportation (INDOT), appeared before the Joint Committee on behalf of INDOT Commissioner Karl Browning. Mr. Kiefer distributed packets of information to the Joint Committee members. See *Exhibits A and B*.

### **A. State and Federal Revenue Sources**

Mr. Kiefer reviewed the following revenue sources:<sup>2</sup>

**Public Mass Transportation Fund (PMTF)** - INDOT allocates these state dollars to eligible municipal corporations using a performance based formula.

**Commuter and Electric Rail Service Funds** - currently all revenue goes to the Northern Indiana Commuter Transportation District

**Federal Transportation Administration (FTA) Section 5303** - Metropolitan Planning Organization Funds

**FTA Section 5307** - Urban Transit Program (not administered by INDOT)

**FTA Section 5309** - Capital Discretionary Program (not administered by INDOT)

**FTA Section 5310** - Specialized Transit Program

**FTA Section 5311** - Rural Transit and Technical Assistance Programs, and Intercity Operating, Capital, Planning, and Marketing Assistance (administered by INDOT)

**FTA Section 5316** - Job Access and Reserve Commute Program (administered by INDOT)

**FTA Section 5317** - New Freedom Program

Mr. Kiefer also reviewed all INDOT programs that receive federal funding.<sup>3</sup> Mr. Kiefer stated that most federal revenue distributions are based on population and census data; therefore, more revenue is distributed to urban areas. In addition, Congress may earmark certain funds for specific localities. For example, FTA Section 5309 funds are earmarked for bus services, the New Starts program, and fixed guideway modernization.

---

<sup>2</sup>See Exhibit A.

<sup>3</sup>See Exhibit B.

## B. Rescission of Federal Funds

Mr. Kiefer explained that when INDOT receives federal funding, it may spend only funds obligated by Congress; any unobligated funds remain intact, and Congress may rescind the unobligated funds. Mr. Kiefer stated that, although Congress has rescinded funds appropriated to INDOT, INDOT has not allowed federal funds (other than approximately \$200,000 in disaster relief) to lapse. INDOT's policy is to spend the oldest money first.

Local units may request to transfer federal funds received from the Federal Highway Administration (FHWA) for FHWA programs to programs funded by the FTA and vice versa; these transfers are known as "flexing". Flexing does not affect the rescission of federal funds. In response to a question from Senator Delph, Mr. Kiefer indicated that rescissions by Congress do not affect INDOT's short term plans.

## C. State Funding for Mass Transit and Surface Transportation

Mr. Kiefer reviewed INDOT's projected distributions of funding for fiscal year (FY) 2008. PMTF is the only source of state funding, and FY 2008 distributions are projected to be \$42 million. INDOT is retaining approximately \$750,000 for a transportation study to be conducted by URS Corporation; the scope of the study is currently under negotiation. In response to a question from Senator Simpson, Mr. Kiefer stated that no state funding is available for the study, planning, or construction of light or commuter rail in Indiana. Federal funding for mass transit is available but eligibility depends upon state participation. INDOT maintains that mass transit is inherently regional in nature and focuses its resources on connecting intrastate traffic.

## D. INDOT's Transportation Plans

Representative Davis questioned whether INDOT has included any mass transit projects in its plans. Mr. Kiefer stated that many studies have a mass transit component. Senator Simpson inquired whether INDOT, when planning projects, gives equal weight to highways versus mass transit. Mr. Kiefer responded that INDOT generally considers the transportation needs included in a given request rather than the modality.

**Transportation Long Range Plan** - The United States Department of Transportation requires INDOT to publish a long range plan. INDOT coordinates with local transportation and planning agencies in putting forth its long range plan. INDOT's transportation long range plan is available online at <http://www.in.gov/dot/div/planning/lrp/2007plan.htm>.

**Statewide Transportation Improvement Plan (INSTIP)** - INSTIP is available online at <http://www.in.gov/dot/pubs/transportimprove/pdfs/Narrative.pdf>.

## E. Mass Transit or Transportation Alternatives Studies

Senator Wyss inquired into INDOT's plans to fund mass transit or mass transit studies. Mr. Kiefer answered that INDOT would determine the allocation of PMTF dollars to local transportation agencies, which in turn are solely responsible for deciding how to spend the money. Representative Soliday asserted that the state needs a competitive infrastructure to determine the allocation of financial and other resources. Representative Austin stated that mass transit should be a state, rather than a local, issue and that INDOT should assign mass transit a higher priority.

### **III. Public Testimony**

The Joint Committee received testimony from the following individuals:

- Steve Kendall, Ball State University, College of Architecture and Planning, expressed his gratitude to the Joint Committee and offered his assistance.
- Bill Verdeyen, International Brotherhood of Teamsters, Rail Conference, discussed the roles of freight and passenger rail in Indiana's transportation plan.
- John Swanson, Executive Director, Northwestern Indiana Regional Planning Commission, stated that existing funding levels are insufficient for a comprehensive transit system.
- Ken Dallmeyer, Regional Bus Authority (Lake and Porter Counties), agreed with Mr. Swanson and indicated his willingness, as well as other metropolitan planning organizations, to testify at future Joint Committee meetings.
- Nicholas Noe, National Association of Railroad Passengers; Indiana High Speed Rail Association, suggested that the Joint Committee look at the possibility of using abandoned railroad lines for high speed rail.

### **IV. Other Business**

At the suggestion of Representative Austin, the Joint Committee agreed to schedule its second meeting for September 10, 2007, at 10:00 a.m. to accommodate the schedule of former Maryland governor Parris N. Glendening. The Joint Committee plans to invite representatives from Indiana's local transportation and planning agencies to testify at the September 10 meeting.

### **V. Adjournment**

The first meeting of the Joint Committee adjourned at 12:40 p.m.